

S U S T A I N E D

SUMMARY REPORT DIGEST-
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT

223722

DATE OF REPORT (DAY-MO.-YEAR)

28 March 1996
02 April 1996T

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE
ATTENTION ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
 ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM-INVESTIGATOR'S NAME		RANK	STAR NO.	SOCIAL SEC. NO.	EMPLOYEE NO.	UNIT ASSIGN.		
Jose L. Ortiz		Inv	67	[REDACTED]	[REDACTED]	113		
ADDRESS OF INCIDENT		DATE OF INCIDENT - TIME		BEAT OF INCIDENT		LOCATION CODE*		
1120 N. California, in alley and 013th District (inside/outside Tact. office)		2330- 03 Jan 96 / 0115		1311 & 1322		04/17		
ACCUSED	NAME	RANK	STAR NO.	SOCIAL SEC. NO.	EMPLOYEE NO.	UNIT ASSIGN.		
	1. [REDACTED]	PO	5714	[REDACTED]	[REDACTED]	013		
	2. Rafael Z. Lopez	PO	15827	[REDACTED]	[REDACTED]	013		
SEX/RACE	D.O.B.	DATE OF APPOINTMENT		DUTY STATUS (TIME OF INCIDENT)				
1. F/W	[REDACTED] 65	13 Dec 93		<input checked="" type="checkbox"/> ON DUTY	<input type="checkbox"/> OFF DUTY	<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN		
2. M/H	[REDACTED] 62	18 Nov 91		<input checked="" type="checkbox"/> ON DUTY	<input type="checkbox"/> OFF DUTY	<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN		
IF APPLICABLE - DATE ARRESTED/INDICTED		CHARGES		COURT BRANCH	DISPOSITION & DATE			
1.								
2.								
COMPLAINANTS	NAME	*ADDRESS**	1st Floor	CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE*
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	F/H	55	01
VICTIMS	NAME	ADDRESS**		CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE*
	[REDACTED]	SAME AS ABOVE		[REDACTED]	SAME	M/H	82	03
	[REDACTED]	SAME AS ABOVE		[REDACTED]	SAME	M/H	81	01
WITNESSES	NAME	ADDRESS**		CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE*
	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

ALLEGATIONS The complaint was received via telephone from the complainant, [REDACTED], at 0320 hours, on 03 January 1996, in the Office of Professional Standards on behalf of the complainant's sons/victims, [REDACTED] and [REDACTED] and [REDACTED]. The incident(s) allegedly occurred on 03 January 1996 between 2330-0115 hours, in the vicinity of 1120 North California, in the alley and in the 013th District Station, inside and outside the Tactical office by the stairs and outside a room on the first floor.

(Continued on Page 2)

I.A.D. LOCATION CODES*

- 01 Food Sales/Restaurant
- 02 Tavern/Liquor Store
- 03 Other Business Establishment
- 04 Police Building
- 05 Lockup Facility
- 06 Police Maintenance Facility
- 07 CPD Automotive Pound Facility
- 08 Other Police Property
- 09 Police Communications System
- 10 Court Room

- 11 Public Transportation Veh./Facility
- 12 Park District Property
- 13 Airport
- 14 Public Property - Other
- 15 Other Private Premise
- 16 Expressway/Interstate System
- 17 Public Way - Other
- 18 Waterway, Incl. Park District
- 19 Private Residence

I.A.D. PHYSICAL CONDITION CODES†

- 01 No Visible Injury - Apparently Normal
- 02 No Visible Injury - Under Influence
- 03 Injured, Not Hospitalized
- 04 Injured, Not Hospitalized - Under Influence
- 05 Injured, Hospitalized
- 06 Injured, Hospitalized - Under Influence
- 07 Injured, Refused Medical Aid
- 08 Injured, Refused Medical Aid - Under Influence
- 09 Deceased
- 10 Deceased - Under Influence

* IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

SUMMARY

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s).
 In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

(SEE PAGE THREE)

ATTACH-
MENTS

INVESTIGATIVE REPORTS— SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS:	INVESTIGATIVE REPORTS— SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS:	PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
2, 3, 4, 5, 6, 7	48, 51, 58, 63, 67, 59, 68	-0-	69

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.

Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

FINDINGS—RECOMMENDATIONS

(SEE PAGE EIGHT FOR FINDINGS)

APPROVED:

Sup. [REDACTED] #146

OPS Supervisor Ann Lombardo, Star #146

(Summary prepared by Supervisor A. Lombardo)
/1b

DATE INITIATED (DATE COMPLAINT WAS RECEIVED FOR INVESTIGATION)	03 Jan 96	DATE COMPLETED (DATE OF THIS REPORT)	28 Mar 96	ELAPSED TIME (TOTAL TIME, EXPRESSED IN DAYS)	85 days
--	-----------	--	-----------	--	---------

Investigator will initiate the Command Channel Review
form by completing the Investigator's Section.

IF NECESSARY, USE AN 8 1/2" x 11" SHEET

467

ACCUSED: (continued)

3. Thomas P. Sheehan, Sgt., Star #1220, SS# [REDACTED] Emp # [REDACTED], Unit 013
M/W, DOB: [REDACTED] 59, DOA: 14 Jul 86, On Duty, Sworn, Code 01
4. Sean M. Ronan, P.O., Star #14396, SS# [REDACTED], Emp # [REDACTED], Unit 013
M/W, DOB: [REDACTED] 70, DOA: 22 Nov 93, On Duty, Sworn, Code 01
5. Eric C. Wier, P.O., Star #5743, SS# [REDACTED] Emp # [REDACTED] Unit 013
M/W, DOB: [REDACTED] 62, DOA: 13 Dec 93, On Duty, Sworn, Code 01

ADDITIONAL VICTIMS:

[REDACTED], [REDACTED]
[REDACTED], [REDACTED]
[REDACTED], [REDACTED]

ALLEGATIONS:

It is alleged that on 03 January 1996 at approximately 0100-0130 hours in the vicinity of 1120 N. California, in the alley, accused #1, Officer Renata Chabron, 1.) pointed a gun at [REDACTED], 2.) pushed him against a fence and handcuffed him too tightly.

It is alleged that on 03 January 1996 at approximately 0100-0130 hours, while in the 013th district tactical office, accused #2, Officer Rafael Lopez, 1.) threatened to strike [REDACTED] in the eye.

It is alleged that on 03 January 1996 at approximately 0100-0130 hours while in the 013th district station, accused #3, Sgt. Thomas Sheehan, 1.) kicked [REDACTED] two times on the right side, struck him once on the face and dragged him into the tactical office where Sgt. Sheehan, 2.) sat on [REDACTED], struck him two times in the stomach with his fist and 3.) verbally abused him.

It is alleged that on 03 January 1996 at approximately 0100-0130 hours while in the 013th district tactical office, accused #4, Officer Sean Ronan, 1.) verbally abused [REDACTED] (aka [REDACTED]), [REDACTED] and [REDACTED], 2.) grabbed [REDACTED] by the neck and dragged him up the second floor stairs to the tactical office where Officer Ronan 3.) threw [REDACTED] on the floor and 4.) slapped [REDACTED] on the head two times.

It is alleged that on 03 January 1996 at approximately 2330-0130 hours in the vicinity of 1120 N. California, accused #5, Officer Eric Wier, 1.) pushed [REDACTED] against a wall after he was handcuffed causing him to strike his head and later on the same date while in the 013th district station, Officer Eric Wier, 2.) verbally abused [REDACTED] (aka [REDACTED]), [REDACTED] and [REDACTED], 3.) grabbed [REDACTED] by the shirt and pushed him against a wall causing him to strike his head, 4.) grabbed and pushed [REDACTED] against a steel bar, 5.) slapped [REDACTED] on the back of the head two times, 6.) verbally abused [REDACTED] and [REDACTED], 7.) slapped [REDACTED] on the right ear.

It is further alleged that on 03 January 1996 at approximately 0100-0130 hours in the vicinity of 1120 N. California, accused #6, an unidentified male, white police officer, 1.) verbally abused [REDACTED]

INVESTIGATION:

During a telephone interview with the complainant, [REDACTED], she stated that on 03 January 1994 at approximately 0100-0130 hours she was notified that her son, [REDACTED], 15 years old, had been arrested by the police. [REDACTED] went to the alley where the police were holding her son inside a squad car. [REDACTED] asked an unidentified male officer what was happening to her son. The officer called her a "bitch" and told her to "get the hell away from the car." Another officer informed [REDACTED] that her son was being arrested for robbery and he was being taken to the 013th district station.

[REDACTED] went to the 013th district station with another [REDACTED], [REDACTED], 22 years old. While at the station, [REDACTED] spoke to a male, Hispanic citizen who told her that [REDACTED] had robbed him by grabbing him from behind while another person took his wallet. [REDACTED] questioned the man who said that if the police did not do anything he would take the matter into his own hands. [REDACTED] exchanged threats with the man. A heavy set police officer, now identified as Officer Eric Wier called [REDACTED] over to him and called him a "little mother fucker." Officer Wier then grabbed [REDACTED] and slammed him against the wall. Officer Wier told [REDACTED] to go wait somewhere else in the station. [REDACTED] went to a waiting room for awhile and when she stepped outside of the room, Officer Wier told her to get her "ass" back inside or get the "fuck" out of the station. When she told the officer she was cold he replied, "I don't give a shit."

Sometime later, a youth officer spoke with [REDACTED] and told her that two of her sons had been arrested, [REDACTED] and [REDACTED]. [REDACTED] is 14 years old. Both boys were released to her custody, however, [REDACTED] was taken to Cook County Jail. [REDACTED] and [REDACTED] told [REDACTED] that the police had "worked over" [REDACTED] in the tactical office, however, she provided no details. The boys also told her that they were both handcuffed too tightly and slapped on their faces by the police. [REDACTED] took [REDACTED] to Norwegian American Hospital for treatment as he suffered an injury to his ear where he was slapped by an officer, now identified as Officer Eric Wier. (att. 2 & 3)

In an in-person interview with [REDACTED], he stated that on the date and time of the incident, [REDACTED] and [REDACTED] and a friend, [REDACTED], were arrested in the vicinity of 1120 N. California. [REDACTED] and [REDACTED] both ran from the police and got separated. A female police officer, now identified as Officer Renata Chabron, ordered [REDACTED] to stop, however, he continued to run. Officer Chabron pointed a gun at [REDACTED] pushed him against a fence and handcuffed him too tightly. [REDACTED] was taken to the squad car where he saw his brother, [REDACTED] and [REDACTED] in the

custody of other police officers. [REDACTED] was placed inside a squad car and sometime later, his mother and brother, [REDACTED], arrived on the scene. [REDACTED] said that he did not witness anything that happened or heard anything that was said to his mother by the police officers on the scene.

[REDACTED] and [REDACTED] and [REDACTED] were all taken to the station and placed in the tactical office where they were handcuffed to a bar. All three of them were verbally abused by Officers Wier and Ronan in that they were called, "son-of-a-bitch," "bastard" and "piece of shit." Officers Wier and Ronan slapped both [REDACTED] and [REDACTED]. [REDACTED] said that Officer Wier slapped him on the right side of the face causing an injury to his ear. [REDACTED] was slapped on the back of the head by both Officer Ronan and Wier. Officer Wier also pushed [REDACTED] against a steel post where the prisoners were handcuffed, causing him to cry.

[REDACTED] could hear his brother, [REDACTED], outside of the tactical office talking to the Hispanic man, he named as [REDACTED], who was later identified as the victim of the robbery, [REDACTED]. [REDACTED] heard [REDACTED] tell [REDACTED] that if he caught his brothers on the street, they were going to pay for what they had done to him. [REDACTED] responded to [REDACTED] saying that he was not going to do anything to his brothers at which time one of the officers left the room and a short time later, [REDACTED] heard a loud bang as if someone had been slammed against a wall. [REDACTED] was then brought into the tactical office by Officers Wier and Ronan where Officer Ronan pushed him against a table and onto the floor. He was then placed in another room where [REDACTED] said he saw Sgt. Sheehan slap an eyepatch off [REDACTED] eye. Another officer, now identified as Officer Rafael Lopez, threatened to hit [REDACTED] in the other eye. (Att. 4)

[REDACTED] gave basically the same account of the incident as his brother, [REDACTED], regarding their arrest. While at the station, [REDACTED] said that he was handcuffed to a steel post along with [REDACTED] and [REDACTED]. [REDACTED] said that his brother, [REDACTED], wanted to cry at which time Officer Ronan said to him, "Go ahead, cry like a little bitch." Officer Ronan's partner, Officer Wier called [REDACTED] "faggot, sissy and bitch," and said that he was going to get "fucked" in the Audy Home. Officer Wier then pushed [REDACTED] against the steel post. The officers questioned the three of them about the robbery and they all denied taking participation. While they were in the interview room, [REDACTED] said Officer [REDACTED] and his partner, described as the "heavy set" officer, now identified as Officer Wier, slapped him on the back of the head. [REDACTED] said Officer Wier slapped [REDACTED] very hard on the right side of the head.

While he was in the tactical office, [REDACTED] heard a loud bang in the hallway as if someone was being slammed against the wall. The officers left the room and returned to the tactical office with [REDACTED] in custody where Officer Ronan pushed to him the floor. Sgt. Sheehan then took [REDACTED] to a smaller room where [REDACTED] could no longer see him. (Att. 5)

[REDACTED] was interviewed in the Cook County Jail. He stated that on the date and time of the incident he went to the 013th District with his mother to see about his brothers. While at the station, [REDACTED] spoke to a 47 year old man, now identified as [REDACTED], who said that [REDACTED] brothers had robbed him after he had bought liquor for them. [REDACTED] told the man that if he was sure it was his brothers who had committed the crime then he should press charges. [REDACTED] then became upset and started to scream at which time a heavy set officer, Officer Wier, came out of the tactical office and told [REDACTED] and his mother to get their "asses" downstairs or they would be arrested. As [REDACTED] began to walk away, the officer called him back, grabbed him by the shirt and pushed him against a wall causing him to hit his head. Another officer, now identified as Officer Ronan, dragged [REDACTED] up the stairs to the tactical office and threw him to the floor where an officer, who was tentatively identified by [REDACTED] from photographs as Sgt. Sheehan, kicked him on his right side two times and in the face. [REDACTED] was then taken into a smaller office where this same officer sat on [REDACTED] and struck him in the stomach with his fist. The officer then said, "I'll kill you if I have to because you're but a little piece of shit." When asked if the officer who abused him was, in fact, a sergeant, he replied no, however, there was a sergeant in the room. He also said that his brothers witnessed this unknown officer kick him while he was on the floor. (Att. 14)

[REDACTED] and [REDACTED] both viewed photographs of Department personnel from the 013th District. [REDACTED] positively identified Officer Ronan as the officer who verbally abused his brother, [REDACTED] and slapped him ([REDACTED]) on the head. He also positively identified Officer Wier as the officer who verbally abused him, struck him on the head and slapped his brother, [REDACTED].

[REDACTED] viewed photographs of 013th District personnel and positively identified Officers Ronan and Wier as the officers who struck both him and his brother, [REDACTED]. He also identified Sgt. Sheehan as the sergeant who abused [REDACTED] and Officer Rafael Lopez as the officer who threatened to strike [REDACTED] in the eye. (Att. 6)

The medical report from Norwegian American Hospital for [REDACTED] indicated that he came into the emergency room on 03 January 1996 at 0352 hours. He told hospital personnel that he had been slapped on the right side of the face by the police at the station at

approximately 0100 hours and complained of pain to his right ear and jaw. He was diagnosed as having right facial contusion. [REDACTED] also complained that he was handcuffed too tightly and pushed to a rail by the police before he was brought to police headquarters where he was slapped by a "tac" officer. (Att. 7a)

[REDACTED], [REDACTED], [REDACTED] and [REDACTED] were arrested for Strong Armed Robbery by Officers Chabron, Kussman, Ronan and Wier of the 013th District tactical unit. The narratives of the arrest reports read that they were arrested after they pushed the victim, [REDACTED], to the ground and forcibly removed his wallet and pager. They all then fled through the alley where they were apprehended by the police. Att. 19, 20, 21, 22, 23, 24, 25, 26, 27, >

[REDACTED] was arrested for Intimidation and Battery in the 013th district station after he pushed the victim of a robbery in the chest and stated, "If you pick out my brothers or testify against them, I'll see you out on the street and fuck you up." The arresting officers were Eric Wier and Sean Ronan of the 013th District tactical unit. (Att. 8)

All attempts to interview [REDACTED] and [REDACTED] met with negative results. (Att. 32, 35, 39)

Attempts to interview [REDACTED] were also met with negative results. (Att. 34, 39, 69)

Information obtained from the Personnel Division verifies that the physical descriptions of Officer Ronan and Wier indicates that Officer Wier is the officer who has been previously described as the "heavy set" officer. (Att. 36)

In an interview with Officer Eric Wier, he stated that on the date and time of the incident he and his partner were doing a surveillance when they saw 'some kids' coming out of an alley in the vicinity of Mozart and Division. The officer went into the alley where they saw [REDACTED] lying down bleeding from the mouth and crying. He said that he had just been robbed and gave a description of the offenders. Officer Wier relayed the information to COS and was notified that the offenders were in custody. The victim was taken to the location where the offenders were being held at which time he positively identified them. The offenders and victim were then taken into the 013th district station. Officer Wier denied having any physical contact with any of the arrestees on the street.

Once at the station, Officer Wier said he was processing the arrestees along with his partner, Officer Ronan and Officers Chabron and Kussman. Officer Wier denied verbally abusing any of the arrestees, denied slapping [REDACTED] and denied all the other allegations. He

said that he was on his way to talk to the victim in the station when he heard someone yelling something to the effect of "if you pick my brothers or testify against them, I'm going to fuck you up." As Officer Wier got to the second floor, he saw [REDACTED] had [REDACTED] pinned against a wall with his hands on his chest. Officer Wier then placed [REDACTED] under arrest, handcuffed him and walked him to the tactical office. Officer Wier also denied observing any of the alleged misconduct by any of the other officers. (Att. 48)

In an interview with Sean Ronan, he gave basically the same account of the incident as his partner, Officer Wier. Officer Ronan denied verbally abusing the arrestees, grabbing [REDACTED] and pulling him up to the second floor and throwing him on the floor and denied slapping [REDACTED] on the head. (Att. 51)

Officers Cabron, Lopez and Sgt. Sheehan all submitted reports in which they also denied committing or observing the alleged misconduct. (Att. 58, 63, 67)

Officers Kussman and Bazarek submitted witness reports in which they denied observing the alleged misconduct. (Att. 59, 68)

CONCLUSION:

Based on the lack of physical evidence or independent witness accounts to corroborate the alleged misconduct, it is recommended that the allegations against Officers Chabron, Lopez, and Ronan be Not Sustained.

It is recommended that the allegations against Sgt. Sheehan be Unfounded based on the interview with [REDACTED] who stated that it was not the sergeant who abused him. Also, the maltreatment described by [REDACTED] i.e., being kicked while he was on the floor of the tactical office, was not described by either of his brothers, [REDACTED] or [REDACTED], despite [REDACTED] claim that they witnessed the abuse.

It is recommended that allegations #1 through #6 against Officer Wier be Not Sustained based on a lack of physical evidence or independent witness accounts of the alleged abuse and also the lack of cooperation of [REDACTED] and [REDACTED]

It is recommended that allegation #7, that Officer Wier slapped [REDACTED] be Sustained. [REDACTED] corroborated [REDACTED] account that Officer Wier slapped [REDACTED] "real hard" on the right side of his face. [REDACTED] promptly took [REDACTED] to Norwegian American Hospital where he reported to hospital personnel there that he was struck on the face by a "tac" officer a couple of hours earlier and [REDACTED] was diagnosed as having a right facial contusion. The fact that [REDACTED] was the only one treated adds

credence to his account of the incident as he apparently was the only one who suffered an injury serious enough to require medical treatment even though his brother, [REDACTED] also alleged he was struck.

FINDINGS:

Accused #1, Officer Renata Chabron #5714

Allegations #1 and #2 - Not Sustained against Officer Chabron

Accused #2, Officer Rafael Lopez, #15827

Allegation #1 - Not Sustained against Officer Lopez

Accused #3, Sgt. Thomas Sheehan, #1220

Allegations #1, #2, and #3 - Unfounded against Sgt. Sheehan

Accused #4, Officer Sean Ronan #14396

Allegations #1, #2, and #3 - Not Sustained against Officer Ronan

Accused #5, Officer Eric Wier, #5743

Allegations #1, #2, #3, #4, #5, and #6 - Not Sustained against Officer Wier

Allegation #7 - Sustained, Violation of Rule 8, "Disrespect to or maltreatment of any person, while on or off duty" in that on 03 January 1996 at approximately 0100-0130 hours while in the 013th district tactical office, Officer Eric Wier, #5743, did maltreat [REDACTED] when he slapped him on the right side of the face.